

REMARKS/DISCUSSION OF ISSUES

Applicant thanks the Examiner for acknowledging the claim for priority based on application 99204018.8 filed in Europe on November 29, 1999. The Applicant will soon file a certified copy of European application 99204018.8.

The Examiner is respectfully requested to state whether the proposed replacement drawing sheet 1/4 is acceptable.

Claims 1-6 are currently pending in the application. In the Non-Final Office Action, Examiner Zimmerman (1) rejected pending claims 1-3 under 35 U.S.C. §102(e) as being anticipated by WO 99/12398 to *Friend*, (2) rejected pending claim 5 under 35 U.S.C. §102(e) as being anticipated by WO 99/12395 to *Seki et al.*, and (3) rejected pending claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over *Friend* in view of U.S. Patent 5,929,562 to *Pichler*. By this amendment, claims 1-6 have been cancelled without prejudice or disclaimer of the subject matter of claims 1-6 and claims 7-16 have been added herein. No new matter was introduced with the addition of new claims 7-16.

The Applicant respectfully asserts that independent claims 7 and 13 are patentable over the art of record, particularly *Friend*, *Seki* and *Pichler*, because the art of record, in combination, fails to disclose, teach or suggest "a relief pattern separating said charge transport areas along each first electrode and between neighboring said first electrodes" as recited in independent claim 7 and "providing a relief pattern extending along each first electrode, and between neighboring the first electrodes" as recited in independent claim 13. Support for this limitation is found in FIG. 2, which illustrates a relief pattern 28 extending long each electrode 23A, 23B and 23C. FIG. 2 further illustrates relief pattern 28 between neighboring electrodes 23A and 23B, and between neighboring electrodes 23B ad 23C.

Claims 8-12 depend from independent claim 7. Therefore, dependent claims 8-12 include all of the elements and limitations of independent claim 7. It is therefore respectfully submitted by the Applicant that dependent claims 8-12 are allowable over the art of record for at least the same reason as set forth with respect to independent claim 7.

Claims 14 and 15 depend from independent claim 13. Therefore, dependent claims 14 and 15 include all of the elements and limitations of independent claim 13. It is therefore respectfully submitted by the Applicant that dependent claims 14 and 15 are allowable over the art of record for at least the same reason as set forth with respect to independent claim 13.

Independent claim 16 recites "depositing a fluid layer non-selectively in a quantity sufficient to flood both the plurality of first electrodes and the relief pattern" and "wherein, during the conversion, the fluid layer breaks up in mutually separate fluid areas which extend between and along the relief pattern, which the fluid areas are then converted into the mutually separate charge transport areas". These aforementioned limitations of independent claim 16 are directed to subject matter of cancelled claim 6 deemed allowable by Examiner Zimmerman. It is therefore respectfully submitted by the Applicant that independent claim 16 is allowable over the art of record.

In view of the foregoing, Applicant respectfully requests that Examiner Zimmerman withdraw the objections and rejections of claims 1-6, allow all of the added claims 7-16, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Zimmerman is respectfully requested to contact the undersigned at the telephone number listed below.


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Respectfully submitted,
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